

REMARKS

This corrected Amendment (originally mailed January 22, 2008 and received January 25, 2008 by the PTO) is in response to the Notice of Non-Compliant Amendment mailed April 15, 2008 in which claim 28 was labelled as "Currently Amended" but did not include markings to show changes made to the claim. With the above corrected amendment, the non-compliant claims have now been corrected. We do not believe any fees for extra claims are required but if this is for some reason incorrect the Director is authorized to deduct the appropriate fee from our deposit account number 23-0442.

The Notice of Non-compliant Amendment lists in numbered paragraph 2 under "Time Periods For filing A Reply to This Notice," the applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of the Notice to supply the correction if the non-compliant amendment is a non-final amendment, so we therefore enclose no payment for a one-month extension of time. If, however, we are incorrect, we request that the Examiner consider this a petition for granting an appropriate extension of time and the Commissioner is authorized to deduct the appropriate fee from our Deposit Account Number 23-0442.

Regarding the merits, we hereby reproduce below the remarks made previously on the amendment filed January 25, 2008.

REMARKS OF AMENDMENT FILED JANUARY 25, 2008

This Amendment is filed in response to the Office Action of September 25, 2007 in which pending claims 1-38 were rejected.

Regarding the indefiniteness rejection of claims 15-26 and 28-38, these have been amended to replace the "arrangement" with an --apparatus--. Withdrawal of the indefiniteness rejection is requested.

Regarding the statutory subject matter rejection of claims 15-26, claim 15 has been amended to claim an apparatus that includes a control unit configured to search, to create, to add, to display and to edit in a similar fashion as the original claim which used "means plus function" language. The "means plus function" language has been deleted to avoid a 35 U.S.C. § 112, sixth paragraph, construction. Withdrawal of the statutory subject matter rejection is requested.

Regarding the novelty rejection of claims 1-5, 7, 8, 10, 11, 13-19, 21, 22, 24-32, 34, 35, 37 and 38 under 35 U.S.C. § 102(b) as being anticipated by *Abram et al* (U.S. 6,462,778), applicant disagrees with the assertion by the Examiner that the *Abram et al* reference discloses that the picture file name is editable. The cited passages do not show this feature. Therefore, *Abram et al* does not anticipate claim 1.

Although *Abram et al* show a user input 155 in Fig. 2 and 355 in Fig. 3, this is not described as being for use in editing but rather for use in selecting the name suggestions presented for instance as shown in Figs. 5 and 6 by the user input area 540 and 640. Withdrawal of the novelty rejection of claim 1 is requested.

Regarding claim 2, it depends from claim 1 and is at least patentable for the same reasons given above.

Regarding dependent claim 3, although *Abram et al* show events such as holidays, these are not calendar events in the sense that they could be searched at a given accuracy associated to the moment of shooting as claimed in claim 3.

Regarding claim 4, it is at least novel for the same reasons as given above in connection with applicant distinguishing *Abram et al* from claim 1.

As for claim 5, *Abram et al* discloses nothing concerning operational profile and settings being searched for data associated to the picture according to certain criteria and used for creating a name suggestion. The events listed in the cited passage at column 4, lines 13-30 relate to events, not mobile station operational profile and settings.

Regarding claim 7, it depends from claim 1 and is at least patentable for the same reasons as given above.

Regarding claim 8, it depends from claim 1 and is at least patentable for the same reasons as given above.

Regarding claim 10, it is not believed that the passages cited by the Examiner or any other parts of the applied reference show the picture of the file name being editable and chosen among displayed name changes by pointing. Similarly, with respect to claim 11, which depends from claim 10, it is not believed that the reference shows picture names being editable.

Regarding claim 13, it depends from claim 1 and is at least patentable for the same reasons as given above in connection with applicant overcoming the rejection of claim 1.

Regarding claim 14, it depends from claim 1 and is at least patentable for the same reasons as given above.

Regarding independent claim 15, it is at least patentable for the same reasons as given above in connection with applicant overcoming the novelty rejection of claim 1.

Regarding the dependent claims 16-19, 21-22 and 24-25 rejected on the same ground, the comments made above with respect to respective claims 2-5, 7-8 and 10-11 apply equally to these claims.

Regarding claim 26, it depends from independent claim 15 and is at least patentable for the same reasons as given above.

Regarding independent claim 27, it is at least patentable for the same reasons as given above in connection with applicant overcoming the novelty rejection of claim 1 on the same art.

Regarding independent claim 28, it is similar in structure to the other independent claims 1, 15 and 27 and the same comments made above in connection

with applicant overcoming the novelty rejection of claim 1 apply equally to claim 28.

Regarding the dependent claims 29-32, 34-35 and 37-38, the applicant's respective comments pertaining to claims 2-5, 7-8 and 10-11 apply equally and these claims should be patentable for the same reasons as given.

Withdrawal of the novelty rejection of claims 2-5, 7, 8, 10, 11, 13-19, 21, 22, 24-32, 34, 35, 37 and 38 is requested as well.

Claims 6, 20 and 33 are rejected under 35 U.S.C. § 103(a) as being unpatentably obvious over *Abram et al* in view of *Matsumura et al* (U.S. 6,222,583).

Claims 6, 20 and 33 depend from independent claims 1, 15 and 28, respectively, and are at least patentable for the same reasons as given above in connection with applicant's overcoming the novelty rejection thereof. Withdrawal of the obviousness rejection of claims 6, 20 and 33 is requested.

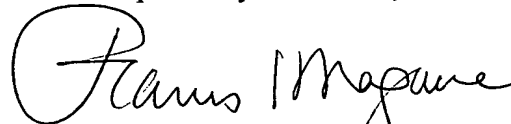
Claims 9, 12, 23 and 36 are rejected under 35 U.S.C. § 103(a) as being unpatentably obvious over *Abram et al* in view of *Fukahori* (U.S. 6,469,698).

It appears that the cited passages at column 9, lines 4-43 of *Fukahori* point to a hierarchical order of place-names with respect to coarseness of geographical resolution, not in order of priority according to certain predetermined priority rules.

Withdrawal of the obviousness rejection of claims 9, 12, 23 and 36 is requested.

The objections and rejections of the Office Action of September 25, 2007, having been obviated by amendment or shown to be inapplicable, withdrawal thereof is requested and passage of claims 1-38 to issue is earnestly solicited.

Respectfully submitted,



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